

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARION ANDERSON,)	3:09-CV-0375-HDM (VPC)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	January 4, 2011
)	
E.K. McDANIEL, et al.,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

The court has received plaintiff's correspondence (#32) requesting a copy of defendants' response to plaintiff's complaint. Defendants filed a motion for summary judgment on December 8, 2010 (#26). Defendants mailed a copy of the motion to plaintiff on the same date. Therefore, plaintiff's request for a copy (#32) is **DENIED as moot**.

Plaintiff was given notice of the defendants filing of a motion for summary judgment pursuant to the requirements of *Klingele v. Eikenberry*, 849 F.2d 409 (9th Cir. 1988), and *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998) on December 9, 2010 (#28). To date, plaintiff has failed to file points and authorities in opposition to the motion for summary judgment.

Plaintiff is advised that pursuant to Local Rule 7-2(d), the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion. The court will *sua sponte* grant plaintiff one extension of time to **Tuesday, January 18, 2011** to file an opposition to the motion. No further extensions of time shall be granted.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk